

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6647**

**BILL NUMBER:** HB 1202

**NOTE PREPARED:** Dec 13, 2006

**BILL AMENDED:**

**SUBJECT:** Failure to Pay Restaurant or Bar Bill.

**FIRST AUTHOR:** Rep. Pelath

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State

**Summary of Legislation:** The bill provides that if a person is convicted of theft or conversion or a delinquent act for consuming food or a beverage from a restaurant, cafeteria, café, bar, tavern, or concession stand and not paying or authorizing payment for the food or beverage, the person's driver's license shall be suspended for 30 days, subject to reinstatement. It makes conforming amendments.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** There are no data available to indicate how many offenders are convicted of food or beverage theft, a Class D felony, or conversion, a Class A misdemeanor. In addition to the criminal penalties for these offenses, the Bureau of Motor Vehicles (BMV), upon notice from the court, will suspend the driver's license of a person who is convicted of food or beverage theft or conversion, and send notice of the suspension to the person. This could result in additional costs for the BMV for additional postage and processing costs.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

*Background:* For FY 2006, the BMV reverted approximately \$3.2 M from its main operating account and

\$4.6 M from the Financial Responsibility Compliance Verification Fund. As of October 23, 2006, the BMV had 78 vacant, budgeted positions with annual salaries amounting to approximately \$2.0 M.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Bureau of Motor Vehicles.

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.